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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/484,668	01/18/2000	Yoshio Kitamura	SONY-T-0084	9950
29175	7590	07/28/2004	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			TRAN, DOUGLAS Q	
			ART UNIT	PAPER NUMBER
			2624	13

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/484,668

**Applicant(s)**

KITAMURA ET AL.

**Examiner**

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Hitoshi et al. (Japan Patent No. JP407325693A).

As to claim 1, Hitoshi teaches a print output control apparatus for outputting content of a file created by an application program to a printer (i.e., a printer 5 in drawing 1) coupled to a computer (i.e., the information processing system in drawing 1, page 3, paragraph 0028), comprising:

a printer driver (11 in drawing 2) for converting data in the file into print data recognizable by the printer (page 3, paragraph 0033);

a print data storage means (i.e., main memory 2 in drawing 1) for storing the print data supplied from the printer driver (paragraphs 0039 and 0040, page 4);

a window display means (the processing mode setting window in drawing 3, paragraph 0034), executed by the printer driver, for acquiring the print data from the print

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data storage means and displaying, onto a display device coupled to the computer, a preview window having a preview box for displaying the print data and a print data processing box operable by a user for changing the print data (page 4, paragraphs 0040 and 0041); and

a print data processing means (i.e., the processing mode from the processing mode setting window, page 4, paragraph 0034), executed by the window display means, for changing the print data when the user operates the print data processing box (page 4, paragraphs 0041, 0042).

As to claim 4, Hitoshi discloses every feature discussed in claim 1, and further teaches the window display means having a capability of displaying the print data before being changed through the print data processing box and the print data after being changed through the print data processing box (page 4, paragraphs 0041, 0042).

As to claim 5, Hitoshi discloses a print output control method for outputting content of a file created by an application program to a printer coupled to a computer, comprising the steps of:

converting data in the file into print data recognizable by the printer (page 3, paragraph 0033);

storing the print data (paragraphs 0039 and 0040, page 4);

displaying, onto a display device coupled to the computer, a preview window having a preview box for displaying the print data and a print data processing box operable by a user for changing the print data (page 4, paragraphs 0040 and 0041);

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changing the print data when the user operates the print data processing box, storing the changed print data, and displaying the changed print data into the preview box (page 4, paragraphs 0041, 0042);

if requested for printing by user, executing printing on the printer on the basis of the stored print data (page 4, paragraphs 0041, 0042).

As to claim 6, Hitoshi discloses every feature discussed in claim 5, and further teaches when the print data is processed in a predetermined manner for change, the print data before change and the print data after change are stored and these pieces of print data are displayed in the preview box (page 4, paragraph 0041).

As to claims 7 and 8, Hitoshi discloses a computer readable recording medium (i.e., a main storage 2 in drawing 1) storing a computer program (page 3, paragraph 0031) for controlling to perform the method claims 5 and 6 as indicated above.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hitoshi and Nishikawa (US Patent No. 6,108,009).

As to claim 2, Hitoshi discloses every feature discussed in claim 1.

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Although Hitoshi teaches the preview data is changed on the display preview, Hitoshi does not teaches the print data processing means includes a capability of adjusting color of the print data.

Nishikawa teaches the print data processing means (i.e., preview function 542 associated with print function and driver 573 in fig. 6) includes a capability of adjusting color of the print data (col. 5, lines 28-31).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the print data processing means of Hitoshi for including a capability of adjusting color of the print data as taught by Nishikawa. The suggestion for modifying the print data processing means of Hitoshi can be reasoned by one of ordinary skill in the art as set forth above by Nishikawa because the modified print data processing means would increase the efficiencies of the printing system by adjusting the correct color at the preview how to fit with the characteristics of the selected printer. Such a modification would allow the print data to be outputted with the fine quality.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hitoshi and Chiarabini et al. (US Patent No. 5,963,216).

As to claim 3, disclose every feature discussed in claim 1.

Although Hitoshi teaches the preview data is changed on the display preview, Hitoshi does not teaches the print data processing means includes a capability of adjusting print size of the print data.

Chiarabini teaches the print data processing means (i.e., printer driver 203 in fig. 5) includes a capability of adjusting print size of the print data (col. 10, lines 54-58).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the print data processing means of Hitoshi for including a capability of adjusting print size of the print data as taught by Chiarabini. The suggestion for modifying the print data processing means of Hitoshi can be reasoned by one of ordinary skill in the art as set forth above by Chiarabini because the modified print data processing means would increase the efficiencies of the printing system by adjusting the correct print size at the preview how to fit with the characteristics of the selected printer. Such a modification would allow the print data to be outputted with the fine quality.

***Response to Arguments***

7. Applicant's arguments, see page 2, from line 6, filed 5/10/04, with respect to the rejection(s) of claim(s) 1-8 under 102(e) rejection have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a **new ground(s) of rejection** is made in view of Hitoshi et al. (Japan Patent No. JP407325693A), Nishikawa (US Patent No. 6,108,009) and Chiarabini et al. (US Patent No. 5,963,216).

This action is made **non-final**.

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***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran

July 23, 2004

A handwritten signature in black ink, appearing to read "Douglas Q. Tran". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the left.